

JUDICIAL PANEL ON
MULTIDISTRICT LITIGATION

MAR - 8 2005

FILED
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BEFORE THE JUDICIAL PANEL ON MULTIDISTRICT LITIGATION

**IN RE PHARMACEUTICAL INDUSTRY AVERAGE WHOLESAL PRICE
LITIGATION**

County of Onondaga v. Abbott Laboratories, Inc., et al., N.D. New York,
C.A. No. 5:05-88

CONDITIONAL TRANSFER ORDER (CTO-20)

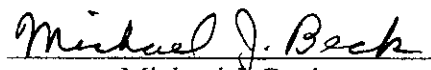
On April 30, 2002, the Panel transferred 16 civil actions to the United States District Court for the District of Massachusetts for coordinated or consolidated pretrial proceedings pursuant to 28 U.S.C. § 1407. Since that time, 34 additional actions have been transferred to the District of Massachusetts. With the consent of that court, all such actions have been assigned to the Honorable Patti B. Saris.

It appears that the action on this conditional transfer order involves questions of fact which are common to the actions previously transferred to the District of Massachusetts and assigned to Judge Saris.

Pursuant to Rule 7.4 of the Rules of Procedure of the Judicial Panel on Multidistrict Litigation, 199 F.R.D. 425, 435-36 (2001), this action is transferred under 28 U.S.C. § 1407 to the District of Massachusetts for the reasons stated in the order of April 30, 2002, 201 F.Supp.2d 1378 (J.P.M.L. 2002), and, with the consent of that court, assigned to the Honorable Patti B. Saris.

This order does not become effective until it is filed in the Office of the Clerk of the United States District Court for the District of Massachusetts. The transmittal of this order to said Clerk shall be stayed fifteen (15) days from the entry thereof and if any party files a notice of opposition with the Clerk of the Panel within this fifteen (15) day period, the stay will be continued until further order of the Panel.

FOR THE PANEL:


Michael J. Beck
Clerk of the Panel

Inasmuch as no objection is
pending at this time, the
stay is lifted.



CLERK'S OFFICE
JUDICIAL PANEL ON
MULTIDISTRICT LITIGATION

**U.S. District Court
Northern District of New York [LIVE - Version 2.3] (Syracuse)
CIVIL DOCKET FOR CASE #: 5:05-cv-00088-FJS-GHL**

County of Onondaga v. Abbott Laboratories, Inc. et al
Assigned to: Chief Judge Frederick J. Scullin, Jr
Referred to: Magistrate Judge George H. Lowe
Cause: 42:1396 - Tort Negligence

Date Filed: 01/26/2005
Jury Demand: Plaintiff
Nature of Suit: 890 Other Statutory
Actions
Jurisdiction: Federal Question

Plaintiff

County of Onondaga

represented by **Aaron D. Hovan**
Kirby, McInerney Law Firm
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New York, NY 10022
212-371-6600
Fax: 212-751-2540
Email: ahovan@kmslaw.com
LEAD ATTORNEY
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Email: rwkemail@aol.com
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

V.

Defendant

Abbott Laboratories, Inc.

Defendant

Agouron Pharmaceuticals, Inc.

Defendant

Alcon Laboratories, Inc.

Defendant

Allergan, Inc.

Defendant

Alpharma, Inc.

Defendant

Amgen, Inc.

Defendant

Andrx Corp.

Defendant

Astrazeneca Pharmaceuticals L.P.

Defendant

Aventis Pharmaceuticals Inc.

Defendant

Barr Laboratories, Inc.

Defendant

Baxter International, Inc.

Defendant

Baxter Healthcare Corporation

Defendant

Bayer Corp.

Defendant

Ben Venue Laboratories, Inc.

Defendant

Berlex Laboratories, Inc.

Defendant

Biogen Idec, Inc.

Defendant

Biovail Pharmaceuticals, Inc.

Defendant

Boehringer Ingelheim Corp.

Defendant

**Boehringer Ingelheim
Pharmaceuticals, Inc.**

Defendant

Dermik Laboratories, Inc.

Defendant

Dey, Inc.

Defendant

Eisai, Inc.

Defendant

Eli Lilly and Company

Defendant

Endo Pharmaceuticals, Inc.

Defendant

Ethex Corp.

Defendant

Forest Laboratories, Inc.

Defendant

Forest Pharmaceuticals, Inc.

Defendant

Fujisawa Healthcare, Inc.

Defendant

Genentech, Inc.

Defendant

Genzyme Corp.

Defendant

Gilead Sciences, Inc.

Defendant

Glaxosmithkline, P.L.C.

Defendant

Greenstone, Ltd.

Defendant

Hoffman-La Roche, Inc.

Defendant

Immunex Corp.

Defendant

Ivax Corp.

Defendant

Ivax Pharmaceuticals, Inc.

Defendant

**Janssen Pharmaceutica Products,
LP**

Defendant

Johnson & Johnson

Defendant

McNeil-PPC, Inc.

Defendant

King Pharmaceuticals, Inc.

Defendant

Medimmune, Inc.

Defendant

Merck & Co., Inc.

Defendant

Monarch Pharmaceuticals, Inc.

Defendant

Mylan Laboratories, Inc.

Defendant

Mylan Pharmaceuticals, Inc.

Defendant

Novartis Pharmaceuticals Corp.

Defendant

Novo Nordisk Pharmaceuticals, Inc.

Defendant

Organon USA

Defendant

Ortho Biotech Products LP

Defendant

Ortho-McNeil Pharmaceutical, Inc.

Defendant

Par Pharmaceutical, Inc.

Defendant

Pfizer Inc.

Defendant

Pharmacia Corporation

Defendant

Purdue Pharama, L.P.

Defendant

Purepac Pharmaceutical Co.

Defendant

Reilant Pharmaceuticals

Defendant

Roche Labs

Defendant

Roxane Laboratories, Inc.

Defendant

Sandoz, Inc.

Defendant

Sanofi-Synthelabo, Inc.

Defendant

Schering Corp.

Defendant

Schering-Plough Corp.

Defendant

Serono, Inc.

Defendant

Smithklinebeechem Corp.

doing business as

Glaxosmithkline

Defendant

**Takeda Pharmaceuticals North
America, Inc.**

Defendant

Tap Pharmaceutical Products, Inc.

Defendant

Teva Pharmaceutical USA, Inc.

Defendant

UCB Pharma, Inc.

Defendant

UDL Laboratories, Inc.

Defendant

Warrick Pharmaceuticals Corp.

Defendant

Watson Pharmaceuticals, Inc.

Defendant

Watson Pharma, Inc.

Defendant

Wyeth

Date Filed	#	Docket Text
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01/26/2005	<p><u>1</u> COMPLAINT against Alpharma, Inc., Amgen, Inc., Andrx Corp., Astrazeneca Pharmaceuticals L.P., Aventis Pharmaceuticals Inc., Barr Laboratories, Inc., Baxter International, Inc., Baxter Healthcare Corporation, Bayer Corp., Ben Venue Laboratories, Inc., Berlex Laboratories, Inc., Biogen Idec, Inc., Biovail Pharmaceuticals, Inc., Boehringer Ingelheim Corp., Boehringer Ingelheim Pharmaceuticals, Inc., Dermik Laboratories, Inc., Dey, Inc., Eisai, Inc., Eli Lilly and Company, Endo Pharmaceuticals, Inc., Ethex Corp., Forest Laboratories, Inc., Forest Pharmaceuticals, Inc., Fujisawa Healthcare, Inc., Genentech, Inc., Genzyme Corp., Gilead Sciences, Inc., Glaxosmithkline, P.L.C., Greenstone, Ltd., Hoffman-La Roche, Inc., Immunex Corp., Ivax Corp., Ivax Pharmaceuticals, Inc., Janssen Pharmaceutica Products, LP, Johnson & Johnson, McNeil-PPC, Inc., King Pharmaceuticals, Inc., Medimmune, Inc., Merck & Co., Inc., Monarch Pharmaceuticals, Inc., Mylan Laboratories, Inc., Mylan Pharmaceuticals, Inc., Novartis Pharmaceuticals Corp., Novo Nordisk Pharmaceuticals, Inc., Organon USA, Ortho Biotech Products LP, Ortho-McNeil Pharmaceutical, Inc., Par Pharmaceutical, Inc., Pfizer Inc., Pharmacia Corporation, Purdue Pharama, L.P., Purepac Pharmaceutical Co., Reilant Pharmaceuticals, Roche Labs, Roxane Laboratories, Inc., Sandoz, Inc., Sanofi-Synthelabo, Inc., Abbott Laboratories, Inc., Schering Corp., Schering-Plough Corp., Serono, Inc., Smithklinebeeckham Corp., Takeda Pharmaceuticals North America, Inc., Tap Pharmaceutical Products, Inc., Teva Pharmaceutical USA, Inc., UCB Pharma, Inc., UDL Laboratories, Inc., Warrick Pharmaceuticals Corp., Agouron Pharmaceuticals, Inc., Watson Pharmaceuticals, Inc., Watson Pharma, Inc., Wyeth, Alcon Laboratories, Inc., Allergan, Inc. (Filing fee \$ 150 receipt number ALB000428) filed by County of Onondaga. (Attachments: # (1) Exhibit A# <u>2</u> Exhibit A (cont'd)# <u>3</u> Exhibit(s) B thru E# <u>4</u> Complaint - Part 1# <u>5</u> Complaint - Part 2)(wbl,). Modified on 2/1/2005 (wbl,). (Entered: 02/01/2005)</p>
01/26/2005	<p>Summons Issued as to Alpharma, Inc., Amgen, Inc., Andrx Corp., Astrazeneca Pharmaceuticals L.P., Aventis Pharmaceuticals Inc., Barr Laboratories, Inc., Baxter International, Inc., Baxter Healthcare Corporation, Bayer Corp., Ben Venue Laboratories, Inc., Berlex Laboratories, Inc., Biogen Idec, Inc., Biovail Pharmaceuticals, Inc., Boehringer Ingelheim Corp., Boehringer Ingelheim Pharmaceuticals, Inc., Dermik Laboratories, Inc., Dey, Inc., Eisai, Inc., Eli Lilly and Company, Endo Pharmaceuticals, Inc., Ethex Corp., Forest Laboratories, Inc., Forest Pharmaceuticals, Inc., Fujisawa Healthcare, Inc., Genentech, Inc., Genzyme Corp., Gilead Sciences, Inc., Glaxosmithkline, P.L.C., Greenstone, Ltd., Hoffman-La Roche, Inc., Immunex Corp., Ivax Corp., Ivax Pharmaceuticals, Inc., Janssen Pharmaceutica Products, LP, Johnson & Johnson, McNeil-PPC, Inc., King Pharmaceuticals, Inc., Medimmune, Inc., Merck & Co., Inc., Monarch Pharmaceuticals, Inc., Mylan Laboratories, Inc., Mylan</p>

		Pharmaceuticals, Inc., Novartis Pharmaceuticals Corp., Novo Nordisk Pharmaceuticals, Inc., Organon USA, Ortho Biotech Products LP, Ortho-McNeil Pharmaceutical, Inc., Par Pharmaceutical, Inc., Pfizer Inc., Pharmacia Corporation, Purdue Pharama, L.P., Purepac Pharmaceutical Co., Reilant Pharmaceuticals, Roche Labs, Roxane Laboratories, Inc., Sandoz, Inc., Sanofi-Synthelabo, Inc., Abbott Laboratories, Inc., Schering Corp., Schering-Plough Corp., Serono, Inc., Smithklinebeechem Corp., Takeda Pharmaceuticals North America, Inc., Tap Pharmaceutical Products, Inc., Teva Pharmaceutical USA, Inc., UCB Pharma, Inc., UDL Laboratories, Inc., Warrick Pharmaceuticals Corp., Agouron Pharmaceuticals, Inc., Watson Pharmaceuticals, Inc., Watson Pharma, Inc., Wyeth, Alcon Laboratories, Inc., Allergan, Inc.. (wbl,) (Entered: 02/01/2005)
01/26/2005	<u>2</u>	G.O. 25 FILING ORDER ISSUED Initial Conference set for 6/21/2005 09:30 AM in Syracuse before Magistrate Judge George H. Lowe. Civil Case Management Plan due by 6/13/2005. (wbl,) (Entered: 02/01/2005)

PACER Service Center			
Transaction Receipt			
03/28/2005 16:06:58			
PACER Login:	us2510	Client Code:	
Description:	Docket Report	Search Criteria:	5:05-cv-00088-FJS-GHL
Billable Pages:	4	Cost:	0.32